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APACHE COUNTY SUPERIOR COURT

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State Bar #009508
Attorney for Defendant
Joseph Douglas Roberts

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE

STATE OF ARIZONA,) No. CR2010-0047
)
Plaintiff,)
) RESPONSE TO STATE'S MOTION TO
vs.) EXPAND TIME TO RESPOND TO MOTION
) FOR REVIEW OF PRELIMINARY
JOSEPH DOUGLAS ROBERTS,) HEARING
)
Defendant(s).) Assigned to Honorable Donna J. Grimsley

COMES NOW Defendant, JOSEPH DOUGLAS ROBERTS, by and through the undersigned attorney, and in response to the State's Motion to Expand Time to Respond to Defendant's Motion for Review of Preliminary Hearing dated April 20, 2010, responds as follows:

1. Defendant acknowledges that the Court granted the State's Motion on April 22, 2010, before the Defendant's respond time had run. However, if the Defendant had been given an opportunity to respond, Defendant would not have objected to the State's request for an expansion of time.

2. Defendant's reply time should also be expanded as proposed by the State in its Motion to Expand Time until no earlier than May 19, 2010.

3. Defendant joins in the State's request for oral argument unless the Court intends to summarily grant Defendant's Motion for Review of the Preliminary Hearing.

1 RESPECTFULLY SUBMITTED this 29 day of April, 2010.

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DAVID J. MARTIN

5 COPY of the foregoing ~~faxed~~
6 ~~and~~ mailed the 29 day of
April, 2010 to:

7 Clerk
8 Apache County Superior Court
9 70 West 3rd South
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10 Hon. Donna J. Grimsley
11 Apache County Superior Court
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